

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ORIGINAL
FILED
MAR 23 2018
THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

-----X
SETH CHARLES BEN HAIM, *et al.*,

Plaintiffs,

Docket No: 18-cv-1695

-against-

Hon. Ronald A. Guzman

THE ISLAMIC REPUBLIC OF IRAN, *et al.*,

Defendants.
-----X

**CITATION TO DISCOVER ASSETS TO THIRD PARTY PURSUANT TO
FEDERAL RULE OF CIVIL PROCEDURE 29**

To: THE BOEING COMPANY
100 North Riverside Plaza
Chicago, Illinois 60606-1596

YOU ARE REQUIRED to cause your designated corporate officer to appear on April 24, 2018 at 9:30 a.m., before United States District Judge Ronald A. Guzman, or any judge sitting in his stead in Courtroom 1801, or any other courtroom to which this case is subsequently assigned, of the United States District Court for the Northern District of Illinois, Eastern Division, Dirksen Building, 219 South Dearborn Street, Chicago, Illinois 60604, to be examined under oath to discover assets or property subject to execution in satisfaction of the judgment in this matter.

A judgment in favor of SETH KLEIN BEN HAIM in the amount of \$11,000,000 for compensatory damages, in favor of BERNARD KLEIN BEN HAIM in the amount of \$3,500,000 for compensatory damages, and in favor of LAVI KLEIN BEN HAIM in the amount of \$1,500,000 for compensatory damages, against THE ISLAMIC REPUBLIC OF IRAN and

THE IRANIAN MINISTRY OF INFORMATION AND SECURITY, was entered in the United States District Court for the District of Columbia on March 24, 2006 and registered in the United States District Court for the Northern District of Illinois, Eastern Division on March 7, 2018. The amount of the judgment currently due and unpaid is \$11,000,000, plus interest.

Your testimony will inform the Court as to tangible, intangible, and/or other property and/or assets you or your subsidiaries or affiliates may hold belonging to: THE ISLAMIC REPUBLIC OF IRAN ("judgment debtor").

The terms "assets" and "property" as used in this Citation include both the assets and property of the judgment debtor and the assets and property of any agency or instrumentality of the judgment debtor, such as Iran Air or any other agency or instrumentality of the judgment debtor, pursuant to The Terrorism Risk Insurance Act of 2002, Pub. L. No. 107-297, 116 §201(a), Stat. 2322 (2002) and/or 28 U.S.C. § 1610.

YOU ARE REQUIRED to do the following upon receiving this Citation until further Order of Court in accordance with Supreme Court Rule 277 (f), or until this Citation is dismissed by the Court or by Stipulation:

YOU ARE PROHIBITED from making or allowing any transfer or other disposition of, or interfering with, any property not exempt from execution or garnishment belonging to the judgment debtor or to which it may be entitled or which may be acquired by or become due to it, until further order of court or termination of the proceeding. You are not required to withhold the payment of any money beyond double the amount of the judgment.

WARNING: Your failure to comply with the citation proceeding may result in a judgment being entered against you for the unsatisfied amount of this judgment. 735 ILCS 5/2-1402(f)(1).

WARNING:

**IF YOU FAIL TO APPEAR IN COURT AS DIRECTED IN THIS NOTICE, YOU MAY BE
ARRESTED AND BROUGHT BEFORE THE COURT TO ANSWER TO A CHARGE OF
CONTEMPT OF COURT, WHICH MAY BE PUNISHABLE BY IMPRISONMENT.**

CERTIFICATE OF ATTORNEY

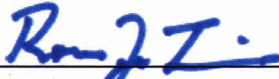
A judgment in favor of SETH KLEIN BEN HAIM in the amount of \$11,000,000 for compensatory damages, in favor of BERNARD KLEIN BEN HAIM in the amount of \$3,500,000 for compensatory damages, and in favor of LAVI KLEIN BEN HAIM in the amount of \$1,500,000 for compensatory damages, against THE ISLAMIC REPUBLIC OF IRAN and THE IRANIAN MINISTRY OF INFORMATION AND SECURITY, was entered in the United States District Court for the District of Columbia on March 24, 2006 and registered in the United States District Court for the Northern District of Illinois, Eastern Division on March 7, 2018. The amount of the judgment currently due and unpaid is \$11,000,000, plus interest.

I the undersigned certify to the Court under penalties as provided by law pursuant to 735 ILCS 5/1-109 that the information herein is true.

Dated: Brooklyn, New York
March 21, 2018

Respectfully submitted,

THE BERKMAN LAW OFFICE, LLC
Attorneys for the Plaintiffs

by: 
Robert J. Tolchin

111 Livingston Street, Suite 1928
Brooklyn, New York 11201
718-855-3627

SPERLING & SLATER
Robert D. Cheifetz, Esq.
Daniel Shmikler, Esq.
Local counsel for plaintiffs
55 West Monroe Street, Suite 3200
Chicago, Illinois 60603
312-641-3200

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

-----X

SETH CHARLES BEN HAIM, *et al.*,

Plaintiffs,

-against-

THE ISLAMIC REPUBLIC OF IRAN, *et al.*,

Defendants.

Docket No: 18-cv-1695

Hon. Ronald A. Guzman

Return date: April 24, 2018

Time: 9:30 a.m.

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CITATION NOTICE

Name and Address of Court:

United States District Court for the Northern District of Illinois, Eastern Division
Everett McKinley Dirksen United States Courthouse
219 South Dearborn Street
Chicago, IL 60604

Last Known Address of Judgment Debtors:

The Islamic Republic of Iran and Ministry of Information and Security
Ministry of Foreign Affairs
Khomeini Avenue, United Nations Street
Teheran, Iran

Address of Judgment Creditors:

C/o their attorneys

Robert J. Tolchin, Esq.

The Berkman Law Office, LLC

111 Livingston Street, Suite 1928

Brooklyn, New York 11201

Tel. 718-855-3627

Email: rtolchin@berkmanlaw.com

Name of Person to Receive Citation:

THE BOEING COMPANY
100 North Riverside Plaza
Chicago, Illinois 60606-1596

Amount of Judgment:

A judgment in favor of SETH KLEIN BEN HAIM in the amount of \$11,000,000 for compensatory damages, in favor of BERNARD KLEIN BEN HAIM in the amount of \$3,500,000 for compensatory damages, and in favor of LAVI KLEIN BEN HAIM in the amount of \$1,500,000 for compensatory damages, against THE ISLAMIC REPUBLIC OF IRAN and THE IRANIAN MINISTRY OF INFORMATION AND SECURITY, was entered in the United States District Court for the District of Columbia on March 24, 2006 and registered in the United States District Court for the Northern District of Illinois, Eastern Division on March 7, 2018. The amount of the judgment currently due and unpaid is \$11,000,000, plus interest.

NOTICE: The court has issued a citation against the person named above. The citation directs that person to appear in court to be examined for the purpose of allowing the judgment creditor to discover income and assets belonging to the judgment debtor or in which the judgment debtor has an interest. The citation was issued on the basis of a judgment against the judgment debtor in favor of the judgment creditor in the amount stated above. On or after the court date stated above, the court may compel the application of any discovered income or assets toward payment on the judgment.

The amount of income or assets that may be applied toward the judgment is limited by federal and Illinois law. The JUDGMENT DEBTOR HAS THE RIGHT TO ASSERT STATUTORY EXEMPTIONS AGAINST CERTAIN INCOME OR ASSETS OF THE JUDGMENT DEBTOR WHICH MAY NOT BE USED TO SATISFY THE JUDGMENT IN THE AMOUNT STATED ABOVE:

1. Under Illinois or federal law, the exemptions of personal property owned by the debtor include the debtor's equity interest, not to exceed \$4,000 in value, in any personal property as chosen by the debtor; Social Security and SSI benefits; public assistance benefits; unemployment compensation benefits; worker's compensation benefits; veteran's benefits; circuit breaker property tax relief benefits; the debtor's equity interest, not to exceed \$2,400 in value, in any one motor vehicle, and the debtor's equity interest, not to exceed \$1,500 in value, in any implements, professional books, or tools of the trade of the debtor.

2. Under Illinois law, every person is entitled to an estate in homestead, when it is owned and occupied as a residence, to the extent in value of \$15,000, which homestead is exempt from judgment.

3. Under Illinois law, the amount of wages that may be applied toward a judgment is limited to the lesser of (i) 15% of gross weekly wages or (ii) the amount by which disposable earnings for a week exceed the total of 45 times the federal minimum hourly wage or, under a wage deduction summons served on or after January 1, 2006, the Illinois minimum hourly wage, whichever is greater.

4. Under federal law, the amount of wages that may be applied toward a judgment is limited to the lesser of (i) 25% of disposable earnings for a week or (ii) the amount by which disposable earnings for a week exceed 30 times the federal minimum hourly wage.

5. Pension and retirement benefits and refunds may be claimed as exempt under Illinois law.

The judgment debtor may have other possible exemptions under the law.

THE JUDGMENT DEBTOR HAS THE RIGHT AT THE CITATION HEARING TO DECLARE EXEMPT CERTAIN INCOME OR ASSETS OR BOTH. The judgment debtor also

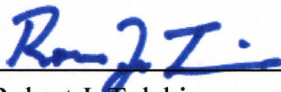
has the right to seek a declaration at an earlier date, by notifying the clerk in writing at Office of the Clerk, 219 South Dearborn Street, Chicago, Illinois 60604. When so notified, the Clerk of the Court will obtain a prompt hearing date from the court and will provide the necessary forms that must be prepared by the judgment debtor or the attorney for the judgment debtor and sent to the judgment creditor and the judgment creditor's attorney regarding the time and location of the hearing. This notice may be sent by regular first class mail.

I certify that this Citation Notice was sent by first class mail, postage prepaid to the judgment debtor within three business days of the service upon the cited party.

Dated: Brooklyn, New York
March 21, 2018

Preparing attorney:

THE BERKMAN LAW OFFICE, LLC
Attorneys for the Plaintiffs

by: 
Robert J. Tolchin

111 Livingston Street, Suite 1928
Brooklyn, New York 11201
718-855-3627

SPERLING & SLATER
Robert D. Cheifetz, Esq.
Daniel Shmikler, Esq.
Local counsel for plaintiffs
55 West Monroe Street, Suite 3200
Chicago, Illinois 60603
312-641-3200

AO 451 (Rev. 12/12) Clerk's Certification of a Judgment to be Registered in Another District

18CV1695
JUDGE GUZMAN
MAG. JUDGE KIM

UNITED STATES DISTRICT COURT

for the

District of Columbia

Seth Charles Ben Haim, et al

Plaintiff

v.

The Islamic Republic of Iran, et al.

Defendant

Civil Action No. 02-cv-1811

CLERK'S CERTIFICATION OF A JUDGMENT TO BE REGISTERED IN ANOTHER DISTRICT

I certify that the attached judgment is a copy of a judgment entered by this court on (date) 03/24/2006.

I also certify that, as appears from this court's records, no motion listed in Fed. R. App. P. 4(a)(4)(A) is pending before this court, the time for appeal has expired, and no appeal has been filed or, if one was filed, it is no longer pending.

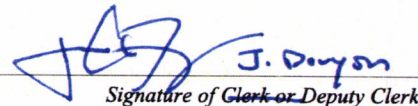
Date: 3-5-18

CLERK OF COURT

FILED

MAR 07 2018

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT


Signature of Clerk or Deputy Clerk

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

SETH CHARLES BEN HAIM, *et al.*,

Plaintiffs,

v.

THE ISLAMIC REPUBLIC
OF IRAN, *et al.*,

Defendants.

Civil Action No. 02-1811 (RCL)

JUDGMENT

In accord with the Findings of Fact and Conclusions of Law issued this date, it is hereby
ORDERED that Default Judgment be entered in favor of plaintiffs and against
defendants, jointly and severally, in the amount of \$16,000,000.00, of which \$11,000,000.00
shall be allocated to Seth Klein Ben Haim; \$3,500,000.00 shall be allocated to Bernard Klein
Ben Haim; and \$1,500,000.00 shall be allocated to Lavi Klein Ben Haim. It is further

ORDERED that plaintiffs, at their own cost and consistent with the requirements of 28
U.S.C. § 1608(e), send a copy of this Judgment and the Findings of Fact and Conclusions of Law
issued this date to defendants. It is further

ORDERED that this case be terminated from the dockets of this Court.

SO ORDERED.

Signed by Royce C. Lamberth, United States District Judge, March 24, 2006.

**ECF
DOCUMENT**

I hereby attest and certify that this is a printed copy of a
document which was electronically filed with the United
States District and Bankruptcy Courts for the District of
Columbia.

Date Filed: 3-24-06

By:  ANGELA D. CAESAR, CLERK